THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETTION NO.16247 OF 2004

BETWEEN:

The District Malaria Officer, Nalgonda

…Petitioners

vs.

G.Kotaiah and others

..Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETTION NO.16247 OF 2004

ORAL ORDER

The District Malaria Officer, Nalgonda has filed this writ petition challenging the award dated.28-08-2002 of the Industrial Tribunal-cum-Labour Court-III, Hyderabad in I.D.No.116 of 2001 whereby a direction was issued to the writ petitioner to reinstate the 1st respondent into service as Field Worker on daily wages with continuity of service but without any entitlement of back wages.

This Court while admitting the writ petition on 13-09-2004, granted an interim stay of the award insofar as it directed the reinstatement of the 1st respondent into service on condition of the writ petitioner complying with the provisions of Sec.17-B of the Industrial Disputes Act,1947(for short "the Act"). The 1st respondent-Workman has filed a counter-affidavit along with an application seeking vacation of the interim stay. It is pleaded that the writ petitioner has failed to comply with the provisions of Sec.17-B of the Act. In the circumstances on 09-11-2006 and the W.V.M.P. filed by the 1st respondent came up for consideration. There being no representation on behalf of the writ petitioner, the writ petition itself was directed to be listed to day for "*dismissal*". When the matter is taken up today there is no representation on behalf of the writ petitioner, though the name of the Government Pleader for Medical, Health and Family Welfare is disclosed in the cause list.

For the foresaid circumstances the writ petition is dismissed for

default. No order as to costs.

GODA RAGHURAM,J

13th NOVEMBER 2006
***TSNR**